



*Engineering
Department*

TOWN OF BLOOMFIELD
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Registered Mail/ Return Receipt
**Inland Wetlands and Watercourses Commission
Cease & Desist Order**

October 7, 2022

Mr. Reinhard von Hollander
14 Brainard Road
West Hartford, CT 06117

Mr. von Hollander,

In accordance with Section 14. of the Inland Wetlands and Watercourses Commission Regulations, you are hereby notified that you are in Violation of the Wetlands Regulations for polluting the waterways of the Town of Bloomfield and failure to control soil erosion from your properties at:

33 Crystal Lane – house under construction (MBL 37-152)
15 Haviland Road – house under construction (MBL 37-151)
34 Crystal Lane - vacant (MBL 37-148)

The violations were observed in the field on September 27 and 29, and October 5 and 6, 2022. The violations and Section numbers from the Regulations are as follows:

Conducting regulated activities without a Wetlands Permit (Section 6.)

Pollution of wetlands and watercourses due to failure to maintain adequate soil erosion and sedimentation measures (Section 4.5 D.)

This order requires immediate and long term corrective measures as listed in the attached inspection report. In general, these require the removal of the sediments from the Crystal Lane gutters, stabilization of the open ground, removal of the stockpile and dirt ramp at 34 Crystal Lane and the installation and maintenance of erosion control measures on all three sites until the exposed ground is fully stabilized.

To prevent further pollution of the Town waterways the mud and sediments on Crystal Lane must be removed within 15 days of the date of this notice (by October 21, 2022) or the Town will clean the street and back charge you for the cost.

This Cease and Desist Order will be heard at the October 17, 2022 ZOOM meeting of the Wetlands Commission when you will have the opportunity to address the Commission. Enclosed is the agenda with links to the ZOOM meeting.

David Peter Castaldi

Wetlands Agent
cc Wetlands Commissioners
Town Planner
Attachment
Enclosure

Town of Bloomfield Wetlands Agent Field Inspection Report

Date: September 27 and 29, 2022

Location: 33 & 34 Crystal Lane and 15 Haviland Road

Investigated a complaint about mud on the street from the open sites for the two new houses under construction at the west end of Crystal Lane - 33 Crystal Lane and 15 Haviland Road. These lots share a common property line and both have frontage on Crystal Lane.

September 27 - 1400 hrs. Mud, gravel and dirt has been deposited in the south gutter of Crystal Lane all the way down to the Stillman Road intersection 650 feet east of the new house lots. The sediments are from erosion of the exposed soils at the house lots. The lots were regraded and almost their entire area has been open ground for many months.

Every catch basin on Crystal Lane west of Stillman Road has taken sediment laden runoff. The volume of sediments in the gutter increases as you get closer to the open sites. Sediments are inches deep in the gutter around the catch basin in the cul-de-sac and in front of 33 Crystal Lane. A significant volume of sediments entered the catch basins closest to the open sites.

These sites have been an erosion control problem since the spring of this year. The erosion controls have failed repeatedly to contain the open soils. The developer was notified on several occasions but has done minimal follow-up maintenance or clean-up.

The present erosion control measures do not appear to have been repaired or maintained since the last rain event and likely the one before that. The sediments have been on the road for at least a week. The local weather station rain gage registered 1.32 inches of rainfall on 9/22, 0.53 inches on 9/13 and 3.19 inches on 9/6.

Mud has been tracked out of the driveway for 33 Crystal Lane across the width of the road. The stone for the driveway was full of mud. Mud is also being tracked all over the pavement by construction vehicles and local traffic from the sediments deposited in front of the driveways.

At 34 Crystal Lane a stockpile of fill has been placed and a dirt "ramp" has been built in the gutter to drive over the curb. The ramp material is washing down the north gutter line. The nearest CB does not have inlet protection. The stockpiled material may be partially in the ROW and has no erosion controls.

The rear slopes of 15 Haviland Road has been recently regraded down to Crystal Lane. The two rows of silt fence behind the curb were undercut by previous erosion and sediments have washed into the road.

The slopes at 33 Crystal Lane are not graded and open ground is exposed in deep excavations, steep fill slopes and the cut slope between the lots and all of these are contributing to the erosion problem. The silt fence at Crystal Lane has been washed over or knocked down and sediments were deposited into the gutter from the site and from the driveway cut.

The hay bales at the two catch basin closest to the site trapped some sediments. However, it is clear that a significant volume of material washed into the catch basins and the Town's storm drainage system

The storm drainage system for Crystal Lane discharges to a pond east of the east cul-de-sac.

September 29 – 1030 hrs. Met with DPW Supervisor Merrit Ritson and found the outfall of the Crystal Lane storm drainage system about 250 feet ENE of the east end of Crystal Lane. The RCP flared end section was located under some fallen trees.

A thick layer of sediments has been deposited in the channel downstream of the flared end and the plunge pool was filled in. The receiving water body is a one acre pond and it is very brown with sediments. The sediments in suspension in the water (turbidity) prevented a clear view of the bottom of the pond.

There are no other open sites in this neighborhood and it is clear that the lack of proper sediment and erosion control measures at the new house lots are the direct cause of the soil erosion and the deposition of sediments in the street and the storm drainage system and the resulting pollution of the pond.

Repeated instances of sediments being washed into the storm drainage system have occurred this month, and probably earlier in the year, that have negatively affected the water quality in the pond.

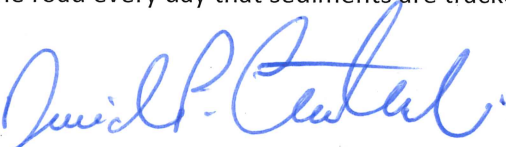
October 5 and 6, 2022

No change to the status of the erosion controls. No clean up done. Mud still on the pavement, in the outfall channel and the pond. There was a small amount of rain on the 4th and 0.53 inches of rain overnight on the 5-6 of October.

CORRECTIVE MEASURES:

1. Remove sediments from the Crystal Lane pavement by sweeping both gutters from the west cul-de-sac to the intersection with Stillman Road.
2. Install silt sacks, with curb slot deflectors, in the catch basins closest to the sites and at the three catch basins to the east.
3. Replace all failed silt fence and install on-site erosion controls at the house foundations.
4. Grade and stabilize the cut slope between the houses with erosion control blanket and temporary seeding. (The approved grading plans show that the slope within 10 feet of the common property line must be no steeper than 5:1 and no steeper than 3:1 elsewhere.)
5. Grade and stabilize all open ground areas with temporary or permanent ground cover seeding and hay mulch.
6. Replace the stone construction entrance at 33 Crystal Lane.
7. Remove the dirt "ramp" and soil stockpile at 34 Crystal Lane.
8. Clean (vacuum) all catch basin/manhole sumps on Crystal Lane.
9. Video all of the storm drainage pipes in Crystal Lane and remove any sediments in
10. Remove sediments from the channel downstream of the flared end and restore the channel and plunge pool.
11. Submit a Wetlands Ecologist's report on the effect of the sediments on the pond and recommended mitigation measures.
12. Inspect and repair the erosion controls after every rain event.
13. Sweep the road every day that sediments are tracked or deposited onto the pavement.

David P. Castaldi
Wetlands Agent





6 OCT 2022 HEAVY SEDIMENT LOAD IN CRYSTAL LA. POND



MUD IN CHANNEL BETWEEN OUTFALL AND POND



6 OCT 2022 CRYSTAL LA. STORM OUTFALL



MUD ON ROAD IN FRONT OF 29 CRYSTAL LANE





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MUD IN CHANNEL BETWEEN OUTFALL AND POND



6 OCT 2022 CRYSTAL LA. STORM OUTFALL



MUD ON ROAD IN FRONT OF 29 CRYSTAL LAKE



6 OCT 2022

CRYSTAL LA. CWL-DE-SAC C #33